

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

77851

Inmate Identification Number:

Thomas Gaddis

(Enter above the full name of the plaintiff
in this action)

NOTICE TO FILING PARTY

*It is your responsibility to
notify the clerk in writing of any
address change.*

*Failure to notify the clerk may
result in dismissal of your case
without further notice.*

vs.

OFFICER. MICHAEL YANT

JUDGE JEB FANNIN

42 USC § 1983

DC-2015-100614

(Enter above full name(s) of the defendant(s)
in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes ()

No (☒)

- B. If the answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: N/A

Defendant(s): N/A

2. Court (if Federal Court, name the district; if State Court, name the county)

3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. Place of present confinement _____

- A. Is there a prisoner grievance procedure in this institution?
Yes () No (☒)
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes () No (☒)
- C. If your answer is YES:
 1. What steps did you take? denied
 2. What was the result? denied
- D. If your answer is NO, explain why not: denied

III. Parties.

In item (A) below, place your name in the first blank and place your present address in the second blank.

A. Name of Plaintiff(s) Thomas Giddis,

Address TALLADEGA COUNTY JAIL PO BOX B,
TALLADEGA AL 35161

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant MICHAEL YANT, JUDGE JEB FANNIN
Is employed as 29th JUDICIAL CIRCUIT, OF ALABAMA
at JUDICIAL BUILDING

C. Additional Defendants 148 EAST STREET,
TALLADEGA, ALABAMA 35161

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statues. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

DEFENDANT YANT, DEFENDANT JUDGE FANNIN, HAVE ARREST,
DETAINED, AND RESTRAINT, RESTRAINT PLAINTIFF, OF HIS LIBERTY,
WITHOUT A SHOWING OF PROBABLE CAUSE, OR A JUDICIAL
DETERMINATION OF PROBABLE CAUSE, DEFENDANTS HAVE NOT
PROVIDE OR INFORMED THE PLAINTIFF AS TO WHY HE'S BEING
DETAINED, DEFENDANTS HAVE VIOLATED PLAINTIFF, CONSTITUTIONAL

Requires the states, to provide A Fair And Reliable determination
OF PROBABLE CAUSE, AS A CONDITION, FOR ANY SIGNIFICANT PRETRIAL
RESTRAINT OF LIBERTY. PROBABLE CAUSE, DETERMINATION MUST BE
MADE BY A JUDICIAL OFFICER, EITHER BEFORE OR PROMPTLY AFTER ARREST
DEFENDANTS FAILED TO DO SO

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

DECLARATORY AND INJUNCTIVE RELIEF, This Court order, The state
DEFENDANTS NAMES, HEREIN, PROVIDE, A FAIR AND RELIABLE, DETERMINATION
OF PROBABLE CAUSE, PROVIDE PLAINTIFF HIS CONSTITUTIONAL RIGHTS
TO A JUDICIAL, PROBABLE CAUSE, DETERMINATION, DEFENDANTS PROVIDE.
AND INFORMED THE PLAINTIFF AS TO WHY HE'S BEING
DETAINED, AND RESTRAINT OF LIBERTY.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 12-7-2016

Thommas Gladden
SIGNATURE

ADDRESS TALLADEGA COUNTY JAIL

PO Box B

TALLADEGA, AL. 35161

AMS # 77851

STATEMENT OF FACTS AND CORROBORATED EVIDENCE

1 OF 1

FACTS

ON Sept. 4, 2015, IN TALLADEGA COUNTY SYLACAUGA, ALABAMA, PLAINTIFF WAS WALKING NEAR 4000 COPPERFIELD CIRCLE, SYLACAUGA, AL. PLAINTIFF WAS ARRESTED WITHOUT PROBABLE CAUSE, TAKEN TO TALLADEGA COUNTY JAIL INTO CONFINEMENT BEING RESTRAINT OF LIBERTY BY DEFENDANT, M. YANT.

ON Sept. 4, 2015, DEFENDANT M. YANT PERSONALLY APPEARED AT A PROBABLE CAUSE HEARING BEFORE DEFENDANT JUDGE FANNIN, DEFENDANT'S HEARING WAS NOT FAIR OR RELIABLE.

DEFENDANT YANT, AT THIS HEARING SUBMITTED A INSUFFICIENT FORM COMPLAINT WITHOUT A SHOWING OF PROBABLE CAUSE. IN THE COMPLAINT, DEFENDANT JUDGE FANNIN COULDN'T AND DIDN'T FIND PROBABLE CAUSE OR MADE A JUDICIAL PROBABLE CAUSE DETERMINATION.

THE ONLY FACTS THAT WAS SUBMITTED, AT THIS HEARING DEFENDANT YANT UNDER OATH, SAY THAT HE HAS PROBABLE CAUSE FOR BELIEVING AND DOES BELIEVE PLAINTIFF COMMITTED THE DRUG CRIMES IN THE COMPLAINT. KEY FACTORS, 1 AFFIANT DIDN'T DISCLOSE WHAT THE SOURCE OF HIS BELIEF, 2 NO OTHER WITNESSES UNDER OATH TO EXAMINE, 3 NO EVIDENCE OR TESTIMONY UNDER OATH, 4 NO FACTS OR CIRCUMSTANCES, 5 AFFIANT DIDN'T STATE HE SAW THE OFFENSE BEING COMMITTED OR THE PLAINTIFF HAS COMMITTED OR WAS COMMITTING THE OFFENSE.

PLAINTIFF APPEARED BEFORE DEFENDANT FANNIN, ON Sept. 8, 2015 AT A INITIAL APPEARANCE, JUDGE FANNIN DIDN'T INFORM PLAINTIFF OF THE COURT FINDING OF PROBABLE CAUSE. KEY DOCUMENTS CRIMINAL COMPLAINT, INITIAL APPEARANCE. DEFENDANTS ARE IN VIOLATION OF THE PLAINTIFF FOURTH FOURTEENTH AMENDMENTS RIGHTS AS A RESULTED RESTRAINT OF LIBERTY.